

Exhibit A



04400330  
06/18/2004N-US

U.S. Serial No. 10/644,785  
Docket No.: 12219/45  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPL. NO. : 10/809,510 CONFIRMATION NO.: 8590  
APPLICANT : Takayoshi TOGINO  
FILED : March 26, 2004  
TC/A.U. : 2872  
TITLE : PROJECTION OPTICAL APPARATUS  
EXAMINER : Arnel C. Lavarias  
DOCKET NO. : 12219/45  
CUSTOMER NO. : 23838

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**DECLARATION PURSUANT TO 37 C.F.R. 1.132**

I, Takayoshi TOGINO, hereby declare the following:

1. I am the sole inventor of the subject matter claimed in U.S. Patent Application Serial No. 10/809,510, filed March 26, 2004 and entitled "PROJECTION OPTICAL APPARATUS".
2. The invention described and claimed in the present application was conceived by me prior to March 28, 2003. Evidence of this fact is shown by Japanese Patent Application 2003-3091340, which was filed in my name in the Japanese Patent Office on March 28, 2003 and published under the number JP2004-301876. A copy of this publication with an English Abstract and machine generated translation is of record in this application, having been cited by the Examiner.

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3. On that English Abstract, my name is incorrectly translated as Kokichi KENNO, rather than Takayoshi TOGINO.
4. Less than one year after the filing of Japanese Patent Application 2003-3091340 in the Japanese Patent Office on March 28, 2003, the present application identified above was filed in the United States with a claim to priority.
5. I am employed by Olympus Corporation, assignee of the present invention, U.S. Patent Application Serial No. 10/809,510, and also owner of Japanese Patent Application 2003-3091340.
6. In an Office Action dated May 9, 2006, the Examiner rejected the claims of Serial No. 10/809,510 as not invented by me and derived from Japanese Patent Application 2003-3091340. However, the Examiner relied on the incorrect translation of my name and apparently thought that the subject matter of Japanese Patent Application 2003-3091340 represented an invention by another, not my own invention. In view of the facts set out above, I believe that rejection should be withdrawn.

I, Takayoshi TOGINO, acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001) and may jeopardize the validity of the above-cited non-provisional patent application or any patent issuing thereon. Likewise, I declare under penalty of perjury that the above statements are true and correct to the best of my knowledge, information and belief.

Respectfully submitted,

Dated: Aug. 17, 2006

Takayoshi Togino

Takayoshi TOGINO